

PLANNING

TO:	Council	
DATE:	July 26, 2022	DIVISION: 1
TIME:	Afternoon Appointment	
FILE:	03912130	APPLICATION: PL20200178
SUBJECT:	Redesignation Item: Commercial Use	

APPLICATION: To redesignate the subject lands from Residential, Urban District (R-URB) to Commercial, Local Urban District (C-LUD p0.18) to facilitate an eating establishment on the main floor and residential uses on the upper floor.

GENERAL LOCATION: Located approximately 0.80 kilometres (0.50 miles) west of Highway 22 and on the south side of White Avenue, within the hamlet of Bragg Creek.

EXECUTIVE SUMMARY: Council gave first reading to Bylaw C-8146-2021 on March 9, 2021. The Applicant has agreed to add a modifier on the proposed C-LUD after first reading to prevent further subdivision.

The proposed restaurant would achieve an efficient use of the land and provide a mixed-use development in the hamlet, which is consistent with the Infill Development policy of the Interim Growth Plan. The proposal meets the Hamlet Commercial Development policy of the Greater Bragg Creek Area Structure Plan with respect to appropriate uses located within the Hamlet Core (Policy 7.3.3). The proposal is considered a small-scale business use and meets the parcel size requirement of the Commercial, Local Urban District (C-LUD) within the Land Use Bylaw.

The Traffic Impact Assessment provided indicates that the existing roads can accommodate the proposed development. The Applicant provided a Site Servicing Study that estimates water consumption and wastewater flow. Detailed assessment on the servicing would be required at the future development permit stage.

ADMINISTRATION RECOMMENDATION: Administration recommends approval as per Option #1.

OPTIONS:

- Option # 1:
- Motion #1 THAT Bylaw C-8146-2021 be amended in accordance with Attachment 'C'
 - Motion #2 THAT Bylaw C-8146-2021 be given second reading, as amended.
 - Motion #3 THAT Bylaw C-8146-2021 be given third and final reading, as amended.
- Option # 2: That application PL20200178 be refused.

Administration Resources

Xin Deng, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****APPLICATION EVALUATION:**

The application was evaluated based on the technical reports submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS:

- *Municipal Government Act;*
- Municipal Development Plan (County Plan);
- Greater Bragg Creek Area Structure Plan;
- Land Use Bylaw; and
- County Servicing Standards

TECHNICAL REPORTS SUBMITTED:

- Site Servicing Study (Jubilee Engineering Consultants Ltd., Nov 26, 2020)
- Site-Specific Stormwater Implement Plan (Jubilee Engineering Consultants Ltd., Nov 26, 2020)
- Traffic Impact Memo (WATT Consulting Group, Jan 5, 2022)
- Updated Site Servicing Study (Jubilee Engineering Consultants Ltd., May 30, 2022)

POLICY ANALYSIS:Interim Growth Plan

As the land falls within the County's Greater Bragg Creek Area Structure Plan, policies for intensification and infill development in this existing settlement are applied. The proposed mixed-use development within the Hamlet Core is consistent with the Intensification and Infill Development Policy 3.4.1.2 of the Interim Growth Plan, which supports achieving an efficient use of land, providing a mix of uses with the aim of optimizing existing infrastructure and services, and contributing to the creation of strong sustainable communities.

Municipal Development Plan (County Plan)

Section 9.0 of the County Plan provides policies for development within hamlets:

- Policy 9.2 supports the development of the hamlet of Bragg Creek as small rural community with basic services in accordance with the adopted area structure plan.
- Policy 9.4 lists the uses that are appropriate for a hamlet, and local commercial use is one of the identified uses.



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- Policy 9.12 supports local employment and small business opportunities in hamlets. The proposed development is considered a small business that would support local employment.

Section 14.0 (Business Development) of the County Plan also provides policies to guide a variety of business development within the County, including hamlet business.

- Policy 14.13 planning and design of a hamlet business area shall be guided by the hamlet area structure plan and other relevant statutory plans. The subject land is located in the adopted Bragg Creek Area Structure Plan and would be assessed by the applicable policies.

Greater Bragg Creek Area Structure Plan

The subject land is located within the Greater Bragg Creek Area Structure Plan (ASP) area. The proposed mixed-use development is located in the Hamlet Core, which is consistent with Policy 7.3.2. Restaurant uses are also listed as one of the desirable uses within the Hamlet Core under Policy 7.3.3. Overall, the application aligns with the policy and intent of the hamlet commercial policies of the Greater Bragg Creek Area Structure Plan.

Land Use Bylaw

The purpose and intent of Commercial, Local Urban District (C-LUD) is to accommodate small-scale business within hamlets and comprehensively planned areas. "Establishment (Eating)" is a listed discretionary use and is considered appropriate within the hamlet. The subject land also meets the minimum parcel size and lot width requirements. The residential site on the upper floor is considered a dwelling unit, which is a discretionary use under Commercial, Local Urban District (C-LUD).

The Applicant has agreed that a modifier of p0.18 should be placed on Commercial, Local Urban District (C-LUD) to prevent further subdivision as the Applicant is not proposing to subdivide the subject land at this time.

ADDITIONAL CONSIDERATIONS:

Transportation

The property contains an existing dwelling and has direct access off Highway 758 (White Avenue). The Applicant provided a Traffic Impact Assessment Memo, which indicates that the traffic generated from the proposed new development would not have impact on the surrounding road network. Alberta Transportation has no concerns with the proposal. The applicant may be required to provide an updated traffic impact assessment based on the new hours of operations if warranted by Alberta Transportation.

Water and Wastewater

The Applicant submitted a Site Servicing Study, which estimated that daily water consumption would be 3,200 litres/day (3.2 m³/day), and sanitary flow would be 2,880 litres/day (2.88 m³/day). Since the subject land is already serviced by the Bragg Creek Regional Water and Wastewater Services under a residential land use, water and wastewater volumes allocated to the subject land are 950 L/day and 855 L/day respectively. All requests for additional capacity would be billed in accordance with the Master Rates Bylaw from within the Bragg Creek local improvement service area. These fees are in addition to the local improvement tax levied on the subject land by Bylaw C-7659-2017 to pay for the Hamlet of Bragg Creek Water and Wastewater Infrastructure Local Improvement Project.

With regard to fire suppression, the Bragg Creek water distribution system is not capable of providing water pressure for fire suppression; therefore, any fire suppression systems required by the Building Code must be accommodated with onsite storage and pressurization at the future Development Permit stage.

Stormwater

The Applicant submitted a Site-Specific Stormwater Implementation Plan. The report concludes that the implementation of onsite, low-impact development and a drywell in the proposed gravel parking lot would control the runoff to pre-development runoff conditions. A detailed stormwater management plan would be required at the future Development Permit stage.

Respectfully submitted,

“Brock Beach”

Acting Executive Director
Community Development Services

Concurrence,

“Dorian Wandzura”

Chief Administrative Officer

XD/rp

ATTACHMENTS:

ATTACHMENT ‘A’: Application Information
ATTACHMENT ‘B’: Application Referrals
ATTACHMENT ‘C’: Bylaw C-8146-2021 and Schedule A
ATTACHMENT ‘D’: Map Set